

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

application of: Kori, et al.

Serial No.: 09/678,266

Confirmation No.: 4642

Filed:

October 3, 2000

For: METHOD AND APPARATUS FOR DEPOSITING REFRACTORY METAL LAYERS EMPLOYING SEQUENTIAL DEPOSITION TECHNIQUES TO FORM NUCLEATION LAYER

Group Art Unit: 2827

Examiner:

Zarneke, David

Box DAC Commissioner for Patents Washington, D.C. 20231

Dear Sir:

CERTIFICATE OF MAILING 37 CFR 1.8

I hereby certify that this correspondence is being deposited on 0.2/0.4, 2003 with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, Box DAC, Washington, D.C. 20231.

02/04/03

Signature

PETITION TO WITHDRAW ABANDONMENT UNDER 37 C.F.R. § 1.181

Applicants petition that the abandonment entered on January 20, 2003 by the Office be withdrawn. Applicants submit that the Notice of Allowance dated August 13, 2002, (copy attached) for the above-identified application was not received by Applicants until January 24, 2003. The Notice of Allowance was received in an envelope postmarked January 13, 2003. Applicants note that the Notice of Allowance received by Applicants has a stamp stating "Received SEP-4 2002 Technology Center 2800." Applicants also note that the mailing address listed on the Notice of Allowance is not the correct correspondence address. Thus, Applicants believe that the Notice of Allowance was mailed, but returned to the Patent Office on September 4, 2002. As Applicants did not receive the Notice of Allowance until January 24, 2003 in an envelope postmarked January 13, 2003, Applicants were not able to pay the issue fee by the due date of November 13, 2002. Accordingly, Applicants respectfully request

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mailing of a Notice of Allowance showing the correct mailing date and withdrawal of the holding of abandonment.

In support of this petition, Applicants provide enclosed written statements under 37 C.F.R. § 1.181 and a copy of a docket record for the above-identified application as Exhibit A.

Applicants do not feel that a fee is necessary at this time, but if the sum of \$130.00 is due under 37 C.F.R. § 1.17 (h), the Commissioner is hereby authorized to charge this fee, and any other fee necessary to make this submission timely and acceptable to the Deposit Account No. 20-0782/AMAT/4714.P1/KMT.

Respectfully submitted,

Keith M. Tackett

Registration No. 32,008

MOSER, PATTERSON & SHERIDAN, L.L.P.

3040 Post Oak Blvd., Suite 1500

Houston, TX 77056

Telephone: (713) 623-4844 Facsimile: (713) 623-4846

Attorney for Assignee

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PATENT AND TRADEMARK OFFICE UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER OF PATENTS AND TRADEMARKS Washington, D.C. 20231 www.uspto.gov FEB 1 0 2003 OTICE OF ALLOWANCE AND FEE(S) DUE OMPUTER ENTERI 7590 08/13/2002 32588 **EXAMINER** APPLIED MATERIALS, INC. 2881 SCOTT BLVD. M/S 2061 ZARNEKE, DAVID A SANTA CLARA, CA 95050 ART UNIT CLASS-SUBCLASS 2827 DATE MAILED: 08/13/2002 ATTORNEY DOCKET NO. CONFIRMATION NO. FIRST NAMED INVENTOR FILING DATE APPLICATION NO.

TITLE OF INVENTION: METHOD AND APPARATUS FOR DEPOSITING REFRACTORY METAL LAYERS EMPLOYING SEQUENTIAL DEPOSITION
TECHNIQUES TO FORM A NUCLEATION LAYER

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APPLN. TYPE SMALL ENTITY ISSUE FEE PUBLICATION FEE TOTAL FEE(S) DUE DATE DUE

nonprovisional NO \$1280 \$0 \$1280 11/13/2002

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE REFLECTS A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE APPLIED IN THIS APPLICATION. THE PTOL-85B (OR AN EQUIVALENT) MUST BE RETURNED WITHIN THIS PERIOD EVEN IF NO FEE IS DUE OR THE APPLICATION WILL BE REGARDED AS ABANDONED.

HOW TO REPLY TO THIS NOTICE:

09/678,266

I. Review the SMALL ENTITY status shown above. If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

10/03/2000

A. If the status is changed, pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above and notify the United States Patent and Trademark Office of the change in status, or

B. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check the box below and enclose the PUBLICATION FEE and 1/2 the ISSUE FEE shown above.

□ Applicant claims SMALL ENTITY status. See 37 CFR 1.27.

II. PART B - FEE(S) TRANSMITTAL should be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). Even if the fee(s) have already been paid, Part B - Fee(s) Transmittal should be completed and returned. If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Box ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PATENT Atty, Docket No. AMAT/4714.P1/TCG/WCVD/BQ

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Box DAC Commissioner for Patents Washington, D.C. 20231

Dear Sir.

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Examiner:

Zameke, David

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Date

Signature

STATEMENT BY GAILE P. BAILEY

I, Gaile P. Bailey, am providing the following statement under 37 CFR 1.181:

I am the Docketing Administrator for Applied Materials Inc., of Santa Clara, California, I am responsible for receiving and docketing every official communication from the United States Patent and Trademark Office. As of today, I have not received a Notice of Allowance for the above-identified application other than the Notice of Allowance dated August 13, 2002 that we received on January 24, 2003 in an envelope postmarked January 13, 2003. A copy of the docket record (Exhibit A) is enclosed herewith to indicate absence of timely receipt of the Notice of Allowance.

i hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may

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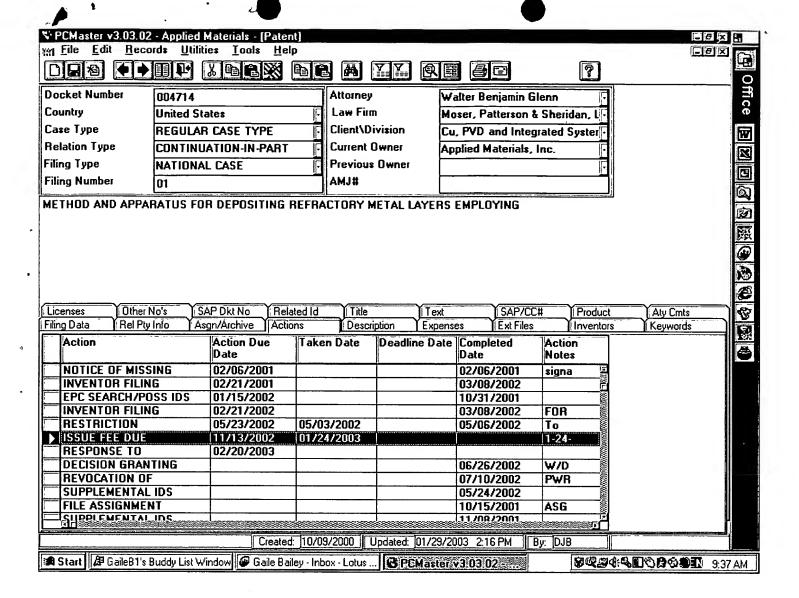
Atty. Dockst No. AMAT/4714.P1/TCG/WCVD/BG

jeopardize the validity of the application, any patent issuing thereon, or any patent to which the verified statement is directed.

> Gaile P. Bailey **Docketing Administrator** Applied Materials, Inc., P.O. Box. 458 Santa Clara, California 95052

Date Signed: <u>2.3.2003</u>

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Examiner:

Zarneke, David

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37 CFR 1.8

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02/04/03 Date

Signature

STATEMENT BY SHERI GRIFFIN

I, Sheri Griffin, am providing the following statement under 37 CFR 1.181:

I am a Patent Administrator for Applied Materials Inc., of Santa Clara, California. My responsibility includes managing the documentations in connection with the prosecution of the above-identified application. I have searched the file jacket for the above-identified application and as of today, I have not found a Notice of Allowance for the referenced case other than the Notice of Allowance dated August 13, 2002 that we received on January 24, 2003 in an envelope postmarked January 13, 2003.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by tine or imprisonment, or both, under Section 1001 of Little 18 of the United States Code, and that such willful false statements may

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PATENT Atty. Docket No. AMA1/4714.P1/I CG/WCVD/BG

which the verified statement is directed.

jeopardize the validity of the application, any patent issuing thereon, or any patent to

Shefi Griffin

Patent Administrator Applied Materials, Inc., P.O. Box: 458

Santa Clara, California 95052

1-31-2003 Dato Signed: _

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